

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC	§	Civil Action No. 6:12-CV-499 MHS
<i>Plaintiff,</i>	§	
	§	LEAD CASE
v.	§	
	§	
TEXAS INSTRUMENTS, INC.	§	
<i>Defendants</i>	§	

BLUE SPIKE, LLC,	§	Civil Action No. 6:12-CV-576 MHS
<i>Plaintiff,</i>	§	
	§	CONSOLIDATED CASE
v.	§	
	§	
AUDIBLE MAGIC CORPORATION,	§	
FACEBOOK, INC., MYSPACE, LLC,	§	
SPECIFIC MEDIA, LLC,	§	
PHOTOBUCKET.COM, INC.,	§	
DAILYMOTION, INC.,	§	
DAILYMOTION S.A., SOUNDCLOUD,	§	
INC., SOUNDCLOUD LTD., MYXER,	§	
INC., QLIPSO, INC., QLIPSO MEDIA	§	
NETWORKS LTD., YAP.TV, INC.,	§	
GOMISO, INC., IMESH, INC.,	§	
METACAFE, INC., BOODABEE	§	
TECHNOLOGIES, INC., TUNECORE,	§	
INC., ZEDGE HOLDINGS, INC.,	§	
BRIGHTCOVE INC.,	§	
COINCIDENT.TV, INC., ACCEDO	§	
BROADBAND NORTH AMERICA,	§	
INC., ACCEDO BROADBAND AB,	§	
AND MEDIAFIRE, LLC	§	
<i>Defendants.</i>	§	

**DECLARATION OF ALYSSA CARIDIS IN SUPPORT OF AUDIBLE MAGIC'S
EMERGENCY MOTION FOR SANCTIONS AGAINST BLUE SPIKE LLC, BLUE
SPIKE INC. AND SCOTT MOSKOWITZ FOR FAILING TO COMPLY WITH A
COURT ORDER**

I, Alyssa Caridis, declare under penalty of perjury that the following is true and correct:

1. I am an attorney at the law firm Orrick, Herrington & Sutcliffe, LLP (“Orrick”), counsel of record for defendants Audible Magic Corp. (“Audible Magic”) and a number of its customers accused as defendants in this case on the basis of Audible Magic’s technology. I have personal knowledge of the facts set forth in this declaration, or access to information and records allowing me to confirm these facts. If called as a witness, I could testify competently to these facts under oath.
2. At 12:37 a.m. CDT on October 1, 2014, Blue Spike produced a collection of documents bearing the BATES stamps BLU0035068-BLU0114318. This production consisted of 5,705 documents.
3. Attached hereto as **Exhibit 1** is a true and correct copy of an e-mail sent by me to counsel for Blue Spike on October 1, 2014.
4. Attached hereto as **Exhibit 2** is a true and correct copy of Blue Spike LLC’s Supplemental Responses to Audible Magic’s First Set of Interrogatories.
5. At 7:46 a.m. CDT on October 6, 2014, Blue Spike produced a collection of documents bearing the BATES stamps BLU0114319-BLU0121657. This production consisted of 1,637 documents.
6. Attached hereto as **Exhibit 3** is a true and correct copy of an e-mail chain between myself and counsel for Blue Spike between October 10, 2014 and October 14, 2014.
7. At 12:06 p.m. CDT on October 13, 2014, Blue Spike produced a collection of documents bearing the BATES stamps BLU0121658-BLU0141377. This production consisted of 2,591 documents.

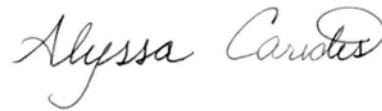
8. Attached hereto as **Exhibit 4** is a true and correct copy of a document produced by Blue Spike on October 13, 2014, bearing the BATES label BLU0131138.

9. Attached hereto as **Exhibit 5** is a true and correct copy of an e-mail sent by Peter Brasher to counsel for Audible Magic on October 14, 2014.

10. Attached hereto as **Exhibit 6** is a true and correct copy of an e-mail sent by me to counsel for Blue Spike on October 14, 2014.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct based on my own personal knowledge.

Executed on October 15, 2014 in Los Angeles, California.

A handwritten signature in cursive script that reads "Alyssa Caridis".

Alyssa Caridis